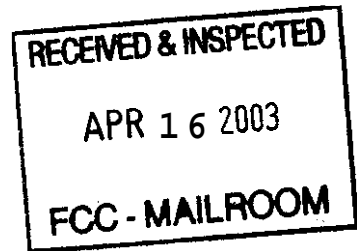




DOCKET FILE COPY ORIGINAL



A School
to Work
Program

TO: Federal Communications Commission

FROM: Gloria Proo, Director *GProo*
Pima Vocational High School

RE: **APPEAL - ERATE Grant for FY 02-03**
Pima Vocational High School - Entity #98211
Form 471 - I.D. #HW121001 App. #323883
CC Docket Nos. 96-45 and 97-21

DATE: April 9, 2003

A decision on our appeal was received April 8, 2003 from the Schools & Libraries Division stating it was denied in full. Thank you for taking the time to review our case. The primary justification for denying our appeal was that the Form **471** was postmarked January 28, **2002**. Per our former accountant, Stephanie Bruce, and concurred by your investigation, the Form **471** was filed electronically online in time. The signed copy was mailed on that date but apparently postmarked later.

We would like to appeal once again on the basis that there was a deadline stated for the online filing which we met, but no deadline was listed for the signature pages in the instructions. According to the instructions, *Section II Filing Requirements and General Instructions, B - When, Where, and How Many Forms 471 to File, Page 5*, there are no specifications as to when the signed copy must be submitted and **no deadline** requirement is listed for this form (see attached copy). In addition, instructions on *Filing Manually, Page 28*, do not specify a deadline (see attached copy).

Our accountant was very conscientious, read the directions thoroughly, acted in good faith, and would never have jeopardized a benefit for our students, 90% of whom live in poverty and greatly benefit from the types of services offered by this program enabling access to computer technology through connectivity.

No. of Copies rec'd 0
ENCLOSURE

Downtown Campus: 97 E. Congress • Tucson, Arizona 85701
Southside Campus: 2801 E. Ajo Way • Tucson, Arizona 85713
(520) 740-4626 • Fax (520) 740-4635
pvhs@csd.co.pima.az.us

A publicly funded ~~Charter School~~ *Entity Document* ERATE - FY02-03 PVHS-ERATE-FCC Appeal02-03.doc
PIMA COUNTY COMMUNIN SERVICES DEPARTMENT

APPEAL - ERATE Grant for FY 02-03
Pima Vocational High School –Entity #98211
Page 2 of 2

Pima Vocational High School would appreciate your reconsideration in funding our school for fiscal year 2002-2003. Attached are copies of correspondence and Schools & Libraries Division's decision letter. **My** phone number and address are as follows:

Gloria Proo, Director
Pima Vocational High School
2801 E. **Ajo** Way
Tucson, Arizona 85713
Phone: 520-740-4686 or 740-903-0102
FAX: 520-903-0753
Email: gproo@csd.co.pima.az.us

Should you have any questions or comments, please contact me. Thank you.

GP/π

Attachments



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal - Funding Year 2002-2003

Rec'd
4/10/03
12

March 27, 2003

Gloria Proo
Pima Vocational High School
2801 E. Ajo Way
Tuscon, **AZ** 85713

Re- Billed Entity Number: 9823 1
 471 Application Number: 323883
 Funding Request Number(s): 865881,866004,866103,866173, 866258
 Your Correspondence Dated: November 15, 2002

After thorough review and investigation of all relevant facts, the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") has made its decision in regard to your appeal of SLD's Year 2002 Funding Commitment Decision for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission ("FCC"). If your letter of appeal included more than one Application Number, please note that for each application for which an appeal is submitted, a separate letter is sent.

Funding Request Number: 865881,866004,866103,866173,866258
Decision on Appeal: **Denied in full**
Explanation:

- Your appeal letter states that you received a notice from SLD stating that the Form 471 was received outside the window. Your records indicate that the Form 471 was submitted online on 1/17/02 and that the signature page was mailed the same day. Information you received from the Client Services Bureau indicated that the signature page was not submitted on a timely basis. You note that the filing instructions do not contain specifications as to when the signed copy must be submitted and no deadline requirement is listed. You are requesting that SLD reconsider funding the school for fiscal year 2002-2003.
- Review of the documentation initially submitted for this application indicates that the online form was submitted on 1/17/02, which was within the filing window for Funding Year 2002-2003. However, the certification page for this Form 471 was postmarked on 1/28/02. During the appeal process, you were contacted and

requested to provide proof of mailing for the certification page. A 3 way phone conversation occurred on 2/21/03, between the appeal reviewer, a Fed **Ex** representative and your current accountant attempting to clarify dates to support your statement that the certification page was mailed the same day as the online application was filed. Unfortunately, the Fed **Ex** representative was unable to provide supporting documentation and the school did not have proof of mailing on file.

- Our records indicate that your Form 471 Certification was not postmarked prior to the close of the filing window on January 17, 2002. During the course of appeal review you were contacted to provide proof of mailing, and you indicated that you could not prove that the Form 471 Certification was mailed prior to January 17, 2002. Therefore, the SLD must rely on its records.
- As indicated in the Form 471 Instructions, the program rules for Funding Year 2002 required that Form 471 Certifications be postmarked no later than January 17, 2002. Since our records indicate that your Form 471 Certification did not meet this requirement, and you did not provide evidence that SLD's information was incorrect, your appeal is denied.

If you believe there is a basis for further examination of your application, you may file an appeal with the Federal Communications Commission (FCC) via United States Postal Service: FCC, Office of the Secretary, 445-12th Street SW, Washington, DC 20554. If you are submitting your appeal to the FCC by other than United States Postal Service, check the **SLD** web site for more information. Please reference CC Docket Nos. 96-45 and 97-21 on the first page of your appeal. **The FCC must RECEIVE your appeal WITHIN 60 DAYS OF THE ABOVE DATE ON THIS LETTER for your appeal to be filed in a timely fashion.** Further information and new options for filing 'an appeal directly with the FCC' can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site, www.sl.universalservice.org.

We thank you for your continued support, patience, and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

- **Manual Filing Instructions:** You may **complete** and submit the Form **471** by filing a paper copy of the completed form with the Fund Administrator. One **originally** signed Form **471** must be filed with the Fund Administrator each time the applicant **seeks** a commitment of **funding** of discounts for a specific **set** of **services** eligible for **discounts** under the universal service discount **mechanism** **that** it **has** ordered. The **originally** signed Form **471** must be **filed** with the Fund **Administrator** at the address **listed** at the **bottom** of the form: SLD-Form **471**, P. O. Box **7026**, Lawrence+Kansas **660467026**, For express delivery or U.S. **Postal** Service Return Receipt, send to: SLD-Form **471**, **do** Ms. Smith, **3833** Greenway Drive, Lawrence, Kansas **66046**, phone **(888) 203-8100**. DO NOT **FILE** THIS OR ANY OTHER UNIVERSAL SERVICE FORM WITH THE FEDERAL COMMUNICATIONS COMMISSION.

8 [REDACTED] You may **complete** and submit the Form **471** by filing the Form electronically online at the SLD Web Site, <www.sl.universalservice.org>. If filing your [REDACTED]

- the Item (21) description(s) of services, and
- a paper copy of the Block 6 **Certification**, completed and signed with an **original ink** signature.

You may file more than one Form **471**. For example, you may file one Form **471** for internal connections, one for **Internet** access, one for **high** bandwidth video conferencing, and one for other telecommunications **services**. Alternatively, you may file a single Form **471** that includes any combination of these services. As the **billed entity** for services requested on one or more Forms **470**, you may combine **services** requested on multiple Forms **470** into one Form **471**, or you may file a corresponding Form **471** for each Form **470** filed on your behalf.

Please refer to the detailed instructions for more information about these procedures.

C. Assistance in Completing **This** Form

There are several **sources** of **assistance** to guide you in completing this form. If you complete this Form electronically online at the SLD Web Site at <www.sl.universalservice.org>, you will be assisted in the process by special **step-by-step** online instructions and help screens. Whether you file online or on paper, you are urged to consult the Reference Area of the SLD Web site, <www.sl.universalservice.org>, for guidance in completing this form. Those without Web access may obtain similar guidance material via the SLD's toll-free fax-on-demand service, **800-959-0733**. Further information is available from the SLD Client Service Bureau via toll-free telephone at **888-203-8100**; via e-mail at question@universalservice.org; or via fax at **888-276-8736**.

OPTIONAL CHECKLIST/TRANSMITTAL SHEET

FILING MANUALLY?

You may want to use this checklist to be **sure** your completed application includes all **required** items before **you** send it to SLD. If you choose, you *can* complete **this** checklist and include it **as** a **transmittal** sheet with your application.

- ___ Block 1 fully completed, including **all** contact information in Item (6).
- ___ Block 3 completed **as** relevant.
- ___ The appropriate Block 4 worksheet(s) completed.
List the worksheet(s) completed plus the number of pages in each worksheet
(for example, Worksheet A-1, 8 pages):

Worksheet	Number of pages

- ___ One Block 5 Worksheet completed for each **service** requested.
Total number of Block 5 worksheets included in **this** application: _____
- ___ A description of services Attachment for each **contract** or **service** relationship, each
labeled **with** its own Attachment # and cited **in** the relevant Item 21.
- ___ A completed Block 6, with **original ink** signature in Item 34.

SLD-Form 471
P.O. Box 7026
Lawrence, Kansas **66044-7026**

For express delivery service or **U.S. Postal Service**, Return Receipt Requested, **mail this for**

SLD-Form 471
C/O Ms. Smith
3833 Greenway Drive
Lawrence **Kansas 66046**
(888) 203-8100

Fax 03
696-526